

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, February 24, 2004

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: All Present

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: The vote is displayed in bold below each item. For example, Patrick-Parra denotes Supervisor Patrick made the motion and Supervisor Parra seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Resolution honoring Lurine Webb upon her retirement from the Kern County Department of Human Services after 32 years of service to Kern County - ADOPTED RESOLUTION; MADE PRESENTATION TO LURINE WEBB; PAT CHEADLE, ASSISTANT DIRECTOR, DEPARTMENT OF HUMAN SERVICES, AND LURINE WEBB HEARD

Patrick-Parra: All Ayes

- 2) Proclamation proclaiming March 2004 as Inhalant Prevention Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO GLORIA DELGADO, CLINICA SIERRA VISTA; GLORIA DELGADO HEARD

Parra-Maben: All Ayes

- 3) Proclamation proclaiming March 1-7, 2004 as Weights and Measures Week in Kern County - PROCLAIMED; MADE PRESENTATION TO TED DAVIS, AGRICULTURAL COMMISSIONER/SEALER; TED DAVIS AND MANUEL VILLACANA, DEPUTY AGRICULTURAL COMMISSIONER/SEALER, HEARD; DEPARTMENT STAFF INTRODUCED

Maben-Watson: All Ayes

RECEIVED AND FILED

Watson-Parra: All Ayes

- 4) Proclamation proclaiming March 4, 2004 as Business Center Day in Kern County - PROCLAIMED; MADE PRESENTATION TO VERNA LEWIS, DIRECTOR, EMPLOYERS' TRAINING RESOURCE; VERNA LEWIS, PETE DEARMOND, BAKERSFIELD COMMUNITY COLLEGE CORPORATE AND COMMUNITY SERVICES, AND GLENN ROBERTS, DEPARTMENT OF COMMERCE-EXPORT, HEARD

Watson-Maben: All Ayes

- 5) Proclamation proclaiming February 22-28, 2004 as National Engineers' Week in Kern County - PROCLAIMED; MADE PRESENTATION TO GREG FENTON, PAST PRESIDENT, AMERICAN SOCIETY OF CIVIL ENGINEERS-SOUTHERN SAN JOAQUIN BRANCH; GREG FENTON HEARD

Maben-Watson: All Ayes

PUBLIC PRESENTATIONS

- 6) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - KERN COUNTY FIRE CHIEF DENNIS THOMPSON INTRODUCED MEMBERS OF THE FIRE DEPARTMENT MANAGEMENT STAFF: DEPUTY CHIEF NICK DUNN, DEPUTY CHIEF BOB KLINOFF, DEPUTY CHIEF MIKE CODY, AND CHIEF DEPUTY MARK CHAFFIN

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 7) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - NO ONE HEARD

DEPARTMENTAL REQUESTS

AGING AND ADULT SERVICES

- *8) Proposed Agreement with California Department of Aging (#SL-0304-33) providing funding for Senior Legislature election in Kern County in FY 2003-2004, in an amount not to exceed \$1,324 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 109-2004

Patrick-Maben: All Ayes

- *9) Proposed Amendment No. 1 to Agreement 783-2003 with California Department of Aging (#CB-304-33) for Community Based Service Programs for FY 2003-2004 in the amount of \$39,245 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 110-2004; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$39,245 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 5610 IN THE AMOUNT OF \$39,245

Patrick-Maben: All Ayes

- *10) Proposed retroactive Amendment No. 3 to Agreement 617-2001 with Greater Bakersfield Legal Assistance to include Ombudsman Initiative for FY 2003-2004 and increasing the maximum amount payable by \$33,306 to \$137,717 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 111-2004

Patrick-Maben: All Ayes

- *11) Proposed retroactive Agreement with Community Action Partnership of Kern to provide Brown Bag Program for FY 2003-2004, in an amount not to exceed \$22,847 (funding from California Department of Aging grant) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 112-2004

Patrick-Maben: All Ayes

AIRPORTS

- *12) Proposed month-to-month Lease Agreement with Randy Griffith for Storage Unit #A at Taft Airport, Taft, at a monthly rate of \$20, to be reviewed annually - MADE FINDING THAT PROJECT IS EXEMPT UNDER SECTION 15301 OF STATE CEQA GUIDELINES; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION IF REQUESTED; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 113-2004

Patrick-Maben: All Ayes

HUMAN SERVICES

- *13) Proposed Memorandum of Understanding with the Central California Area Social Services Consortium to further strategic planning, training, policy development and research in the social services field, from February 24, 2004 to December 31, 2004, in an amount not to exceed \$14,259 (\$12,120.15 State/Federal; \$2,138.85 County) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 114-2004

Patrick-Maben: All Ayes

KERN MEDICAL CENTER

- *14) Proposed changes in clinical privilege status for 19 members of Kern Medical Center's Medical Staff - APPROVED

Patrick-Maben: All Ayes

- *15) Request for sole source purchase of a 7.5 Fr. Flexible Ureteroscope and Uretero-Renoscope, Semi-Rigid 7.5 Fr. Graduated from Karl Storz, in an amount not to exceed \$24,000 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE PURCHASE ORDER

Patrick-Maben: All Ayes

- *16) Request for sole source purchase of RF 3000 Radiofrequency Ablation Generator from Boston Scientific, in an amount not to exceed \$24,500 - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE PURCHASE ORDER

Patrick-Maben: All Ayes

- *17) Proposed retroactive Agreement with Department of Health Services for participation in the Public Hospital Outpatient Services Supplemental Reimbursement Program, effective July 1, 2002 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 115-2004

Patrick-Maben: All Ayes

- *18) Proposed retroactive Agreement with Ruth Sierra-Smith to provide nuclear medicine technician services in the Department of Radiology, from January 26, 2004 through January 25, 2006, in an amount not to exceed \$266,244 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 116-2004

Patrick-Maben: All Ayes

- 19) Proposed Graduate Medical Agreement format for graduate medical education students enrolled in the approved physician residency-training programs at KMC, effective July 1, 2004 - APPROVED AGREEMENT AS AMENDED WITH CORRECTIONS TO EXHIBIT C RELATING TO HEALTH INSURANCE PREMIUMS AND PARTICIPATION IN KERN\$FLEX; AUTHORIZED CHIEF EXECUTIVE OFFICER OF KMC TO SIGN INDIVIDUAL ONE-YEAR AGREEMENTS WITH RESIDENT PHYSICIANS SELECTED FOR PARTICIPATION IN THE KMC RESIDENT PROGRAMS

Watson-Parra: All Ayes

- *20) Proposed retroactive Amendment No. 5 to Medical Consultant Services Agreement No. 929-98 with The Regents of the University of California, extending the term from July 1, 2003 through February 29, 2004, terminating the Agreement effective February 29, 2004, and include a revised budget schedule for the period July 1, 2003 through February 29, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 117-2004

Patrick-Maben: All Ayes

- *21) Proposed Agreement with The Regents of the University of California, to provide consultant services to KMC's pediatric medical and education programs, from March 1, 2004 through June 30, 2005, in an amount not to exceed \$97,200 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 118-2004

Patrick-Maben: All Ayes

- *22) Proposed retroactive Agreement with Jamshid Jamshidian, M.D., for provision of radiology services in the Department of Radiology, from February 18, 2004 through February 17, 2005, in an amount not to exceed \$174,000 (continued from February 17, 2004) - CONTINUED TO MONDAY, MARCH 8, 2004 AT 2:00 P.M.

Patrick-Maben: All Ayes

PERSONNEL

- *23) Classification of positions recommended by Civil Service Commission effective March 6, 2004 - APPROVED; REFERRED TO PERSONNEL TO AMEND THE DEPARTMENTAL POSITION AND SALARY SCHEDULE

Patrick-Maben: All Ayes

PUBLIC HEALTH SERVICES

- *24) Proposed Amendment No. 1 to Agreement 574-2003 with California State University, Bakersfield Foundation for Kern County Tobacco Education Program evaluation consultant services, to increase compensation by \$8,500 to an amount not to exceed \$18,500, and appropriation of unanticipated revenue - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 119-2004; APPROVED THE TRANSFER OF \$8,500 FROM THE TOBACCO EDUCATION TRUST FUND (24136) TO THE GENERAL FUND; APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$8,500 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$8,500 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4110

Patrick-Maben: All Ayes

- *25) Request for authorization to submit grant application to First Five Kern for increasing the pool of Certified Application Assisters - APPROVED; AUTHORIZED DIRECTOR OF PUBLIC HEALTH SERVICES TO SIGN APPLICATION AND RELATED DOCUMENTS

Patrick-Maben: All Ayes

SHERIFF

- *26) Proposed Agreement with Christian Chaplain Services, Inc., to provide chaplain services to inmates from March 26, 2004 to March 25, 2005, in an amount not to exceed \$110,000 (Fiscal impact: No cost to General Fund) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 120-2004

Patrick-Maben: All Ayes

- *27) Unusual travel request for Jim Johnson to attend the Backster School of Lie Detection Course from March 28, 2004 through May 2, 2004 in San Diego, California in an amount not to exceed \$6,678 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

TREASURER-TAX COLLECTOR

- *28) Treasurer-Tax Collector's Departmental Conflict of Interest Policy - RECEIVED AND FILED

Patrick-Maben: All Ayes

- *29) Pooled Cash Portfolio Analysis for Month Ended January 2004 - RECEIVED AND FILED

Patrick-Maben: All Ayes

ADJOURNED TO CLOSED SESSION

Patrick

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 30) Request for Closed Session regarding Meet and Confer, All Unions -
- 31) Request for Closed Session regarding public employee performance evaluation - Title: Chief Executive Officer of Kern Medical Center -

COUNTY COUNSEL

- 32) Request for Closed Session regarding a lawsuit entitled Teresa Green v. County of Kern, Kern County Superior Court Case No. 249744 (Government Code Section 54956.9(a)) -
- 33) Request for Closed Session regarding a lawsuit entitled Theresa Martin v. County of Kern, Kern County Superior Court Case No. 251764 (Government Code Section 54956.9(a)) -

- 34) Request for Closed Session regarding significant exposure to litigation against the County (one case) (Government Code Section 54956.9(b)(3)) -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; RECESSED TO 2:00 P.M.

Maben-Watson: All Ayes

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

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- THOMAS MESHACK, CHIEF NEGOTIATOR, UNITED DOMESTIC WORKERS OF AMERICA, ADDRESSED THE BOARD REGARDING ONGOING LABOR NEGOTIATIONS

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

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HEARINGS

RESOURCE MANAGEMENT AGENCY
Planning Department

- *3) **Request from Albert F. Darling by Porter-Robertson Engineering and Surveying, Inc. to exclude approximately 84 acres from the boundaries of an Agricultural Preserve located on the north side of State Route 155, east of Jack Ranch Road, Glennville area (SD 1)**
Specific Request:
Exclusion of approximately 84.2 acres from the boundaries of an Agricultural Preserve (Ag Pres #14 - Excl, Map #14-26) (Categorically Exempt, Section 15317; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-040 APPROVING EXCLUSION AS REQUESTED
Patrick-Maben: All Ayes
- *4) **Request from Hubert and Irene Cargill by Nelms Surveying to change the permitted uses from estate residential to heavy industrial on approximately 13,200 square feet located on the south side of Downing Avenue, approximately 200 feet west of the intersection of Downing Avenue and Patton Way, Rosedale area (SD 3)**
Specific Request:
A change in zone classification from E (5) RS to M-3 PD or a more restrictive district (ZCC #76, Map #102-21) (Categorically Exempt, Section 15301; Published Bakersfield Californian) - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED RESOLUTION 2004-041 AND ENACTED ORDINANCE G-7077 APPROVING ZONE CHANGE AS REQUESTED
Patrick-Maben: All Ayes
- 5) **Request from William Watts by French and Associates to change the permitted uses from 2-1/2-acre residential to 1/4-acre residential on 8.3 acres located west of North Drive and South Drive, in the Tejon Lodge area, Lebec (SD 4)**
Specific Request:
A change in zone classification from E (2-1/2) RS to E (1/4) or a more restrictive district (ZCC #2, Map #237-27) (Negative Declaration; Published Mountain Enterprise) - OPENED HEARING; JEFF FRENCH, REPRESENTING WILLIAM WATT, APPLICANT, HEARD IN SUPPORT; GILBERT TARR HEARD IN OPPOSITION TO THE RECOMMENDATION; CLOSED HEARING; RE-OPENED HEARING; MR. TARR RESPONDED TO QUESTIONS POSED BY THE BOARD; CLOSED HEARING; PER PLANNING COMMISSION RECOMMENDATION, ADOPTED NEGATIVE DECLARATION AND MITIGATION MEASURE MONITORING PROGRAM; ADOPTED RESOLUTION 2004-042 AND ENACTED ORDINANCE G-7078 APPROVING ZONE CHANGE AS REQUESTED TO BECOME EFFECTIVE ON THE PLANNING DIRECTOR'S RECEIPT OF WRITTEN CONCURRENCE FROM THE CURRENT PROPERTY OWNERS; REFERRED TO ENGINEERING & SURVEY SERVICES TO REPORT BACK TO THE BOARD REGARDING GRADING VIOLATIONS IN THE AREA; REFERRED TO ENGINEERING & SURVEY SERVICES TO REPORT BACK REGARDING REVIEW AND STATUS OF PROPOSED STATE REGULATIONS ON RESIDENTIAL SEPTIC SYSTEMS
Watson-Maben: All Ayes

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Miscellaneous

S.D. #1

- *6) Request by Wisam Jouda for Determination of Public Convenience for the issuance of an off-sale general liquor license at 6618 Wofford Boulevard, Wofford Heights, pursuant to the Alcohol Beverage Control Act, Section 23958 of the Business and Professions Code - APPROVED; ADOPTED RESOLUTION 2004-043

Patrick-Maben: All Ayes

All S.D.'s

- *7) Proposed Amendment No. 2 to Agreement 367-1998 with Quad Knopf for planning consulting services to prepare a Program Environmental Impact Report for the Kern County General Plan, an increase of \$7,000, for a new total not to exceed \$104,364 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 121-2004

Patrick-Maben: All Ayes

- 8) Status Report on efforts of the Kern Wind Energy Association and the military in developing maps delineating areas suitable for wind energy tower development - RECEIVED AND FILED; DIRECTED STAFF TO PREPARE NECESSARY NOTICE AND REPORT TO EXTEND INTERIM ORDINANCE NO. G-7072 ON TUESDAY, MARCH 9, 2004, AT 2:00 P.M.

Watson-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY

Community and Economic Development Department

S.D.'s #1, #4 & #5

- *9) Proposed Environmental Clearance Certification and Request for Release of Funds (RROF) for Activity No. 37.03.2, Architectural Barrier Removal Program - APPROVED RROF; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED DIRECTOR TO SUBMIT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY

Engineering and Survey Services

DEBT ADVISORY COMMITTEE

Hearing

S.D. #5

- *10) TEFRA Hearing and proposed approval for issuance of \$7,000,000 in Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority for Corporation for Better Housing, Cottonwood Village, Phase II - CONTINUED TO TUESDAY, MARCH 9, 2004, AT 2:00 P.M.

Patrick-Maben: All Ayes

Hearing

S.D. #3

- *11) Hearing regarding proposed formation of the Olive Drive Underground Utility District - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2004-044; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION, IF REQUESTED, AND NOTIFY AFFECTED PROPERTY OWNERS

Patrick-Maben: All Ayes

S.D. #2

- *12) Proposed Contract 03032 with Griffith Company to use Community Development Block Grant (CDBG) funds for construction of Mojave Drainage Improvements, Phase VII, in an amount not to exceed \$409,409 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 122-2004

Patrick-Maben: All Ayes

S.D. #4

- *13) Request to approve final map for Tract 6085, Phase A, northeast corner of Nord Road and Palm Avenue, western Rosedale, Delmarter and Deifel for J & M California Land Company, Inc. - APPROVED; ADOPTED RESOLUTION 2004-045 FINDING OF FACT PER SECTION 21151 OF PUBLIC RESOURCES CODE, SECTIONS 66473.5, 66474 AND 65567 OF GOVERNMENT CODE INCLUDING APPROVAL OF WAIVER OF SIGNATURE FOR MINERAL OWNERS AND EASEMENT HOLDERS PER SECTION 66436 OF GOVERNMENT CODE AND SECTION 18.45.020 D1 OF LAND DIVISION ORDINANCE (SECTION 18.15.030 K1,2,3 NOT APPLICABLE) AND ACKNOWLEDGEMENT OF REVERSION OF TEMPORARY SLOPE EASEMENT DESCRIBED IN DOCUMENT RECORDED IN BOOK 6219, PAGE 2489, OFFICIAL RECORDS; APPROVED FINAL MAP; AUTHORIZED CLERK OF THE BOARD TO SIGN; APPROVED IMPROVEMENT AND MONUMENTATION AGREEMENTS; AUTHORIZED CHAIRMAN TO SIGN; ACCEPTED SEWAGE MONITORING EASEMENT; AUTHORIZED CLERK OF THE BOARD TO SIGN; CONSENTED TO MAKING OF IRREVOCABLE OFFERS OF DEDICATION FOR TEMPORARY TURNAROUND AND ROAD EASEMENTS; AUTHORIZED CLERK OF THE BOARD TO SIGN; RECEIVED AND FILED DOCUMENTS AND ORDERED RECORDED AS APPROPRIATE

Patrick-Maben: All Ayes

S.D. #5

- *14) Contract No. 03031, identify apparent low bid of Griffith Company for construction of Alloway Lane Drainage Improvements, in an amount not to exceed \$197,967 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO RELEASE ALL OTHER BID GUARANTEES AND PREPARE NECESSARY CONTRACT DOCUMENTS

Patrick-Maben: All Ayes

All S.D.'s

- *15) Amended Conflict of Interest Code for Engineering & Survey Services Department - APPROVED

Patrick-Maben: All Ayes

RESOURCE MANAGEMENT AGENCY

Roads Department

S.D. #1

- *16) Proposed Agreement with the City of Delano for the County to design and construct a road reconstruction project on Browning Road between Garces Highway and Cecil Avenue, and to furnish inspection during construction (all costs to be reimbursed by the City of Delano) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 123-2004

Patrick-Maben: All Ayes

S.D. #2

- *17) Proposed loading zone and no-stopping zone along "O" Street in Mojave in front of Mojave Elementary School - APPROVED; REFERRED MATTER TO COUNTY COUNSEL FOR PREPARATION OF NECESSARY ORDINANCE

Patrick-Maben: All Ayes

All S.D.'s

- *18) Proposed Agreement with U.S. Federal Highway Administration for construction and maintenance of roadways within U.S. forests - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 124-2004

Patrick-Maben: All Ayes

WASTE MANAGEMENT

S.D.'s #1 & #2

- *19) Proposed Plans and Special Provisions for construction of the landfill gas collection system at Bakersfield Metropolitan (Bena) Sanitary Landfill - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15330; DIRECTED CLERK OF THE BOARD TO FILE NOTICE OF EXEMPTION; AUTHORIZED WASTE MANAGEMENT TO PUBLISH NOTICE TO CONTRACTORS; BID OPENING TO BE WEDNESDAY, MARCH 24, 2004, AT 11:00 A.M.

Patrick-Maben: All Ayes

S.D. #2

- *20) Proposed Agreement with California City for use of the City's Fire Department parking lot to conduct Household Hazardous Waste Collection Events - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 125-2004

Patrick-Maben: All Ayes

All S.D.'s

- *21) Proposed Amendment No. 1 to Agreement 242-2002 with GC Environmental, Inc., for landfill gas consulting services at County Solid Waste Facilities, an increase of \$150,000, for a new total not to exceed \$550,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 126-2004

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

- *22) Transfer of property tax entitlement related to City of Bakersfield Annexation No. 450, LAFCO Proceeding No. 1375 - ADOPTED RESOLUTION 2004-046 AUTHORIZING AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER A PORTION OF COUNTY'S PROPERTY TAX ENTITLEMENT TO CITY OF BAKERSFIELD COMMENCING FISCAL YEAR 2005-2006 IN ACCORDANCE WITH MEMORANDUM OF UNDERSTANDING

Patrick-Maben: All Ayes

Legislative Matters

- *23) Proposed Resolution supporting Operation Clean Air - APPROVED; ADOPTED RESOLUTION 2004-047

Patrick-Maben: All Ayes

- *24) Proposed 2004 County Legislative Platform - ADOPTED; AUTHORIZED CHAIRMAN TO SIGN APPROPRIATE CORRESPONDENCE

Patrick-Maben: All Ayes

COUNTY ADMINISTRATIVE OFFICE

General Services Division

S.D. #1

- *25) Change Order No. 7 for the new Juvenile Treatment Facility, an increase of \$84,358.43, for a new total of \$17,038,628.49 (1960.8166) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Maben: All Ayes

S.D. #2

- *26) Proposed Agreement with Sky River Partnership for access and power to Thumb Mountain communications site (initial monthly fee of \$100) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 127-2004

Patrick-Maben: All Ayes

S.D. #5

- *27) Proposed Amendment No. 1 to License Agreement 896-2003 with J&A Café to reduce the minimum hours of operation for the cafeteria at the Southeast Bakersfield Community Services Center - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 128-2004

Patrick-Maben: All Ayes

All S.D.'s

- *28) Proposed approval to acquire software licenses under the Microsoft Enterprise Master License Agreement between County of Riverside and Microsoft, and proposed authorization for the Purchasing Agent to sign enrollment documents (no fiscal impact) - APPROVED; AUTHORIZED PURCHASING AGENT TO SIGN

Patrick-Maben: All Ayes

MATTERS FOR EXECUTIVE APPROVAL

- *29) Budget Transfers - APPROVED NO. 150 THROUGH NO. 152
Patrick-Maben: All Ayes
- *30) Minutes for week of February 2, 2004 - APPROVED WITH CORRECTION TO ITEM NO. 3, 2:00 P.M., TO ADD TO REFERRAL REGARDING COUNTIES' NEPOTISM POLICIES THE WORDING, "**FOR REPORT BACK TO THE BOARD**"
Patrick-Maben: All Ayes
- *31) Miscellaneous Letters and Documents - FILED
Patrick-Maben: All Ayes
- *32) Claims and Lawsuits filed with and referred by Clerk of the Board - APPROVED AND FILED
Patrick-Maben: All Ayes

ADJOURNED TO MONDAY, MARCH 8, 2004, AT 2:00 P.M.
Parra-

/s/ Denise Pennell
Clerk of the Board

/s/ Jon McQuiston
Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

31) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED

Auditor-Controller-County Clerk

- A) Audit Report of the Farm and Home Advisors for Fiscal Year 2003-2004
- B) Audit Report of the Personnel Department for Fiscal Year 2003-2004

Clerk of the Board

- C) Letter from Roger E. Hargis re resignation from the Workforce Investment Board (Copies to each Supervisor and CAO)

- D) Received, certified and forwarded to Recorder for recordation as follows:

- 1) Tract Map 6066, Unit 3 S.D. 2
- 2) Tract Map 6066, Unit 4 S.D. #2
- 3) Tract Map 6122 S.D. #4
- 4) Tract Map 6187 S.D. #4
- 5) Tract Map 6194, Phase 1 S.D. #1
- 6) Tract Map 6194, Phase 3 S.D. #1
- 7) Parcel Map 10882 S.D. #2

Environmental Health

- E) Three (3) thank you letters to individuals for donations to the Mojave Shelter and the Bakersfield Animal Care Center

General Services

- F) Acceptance of Franchise and Liberty Mutual Insurance Company Franchise Bond No. 22013480 submitted by Oxy Resources California, LLC, in compliance with Franchise Ordinance F-465

Local Agency Formation Commission

- G) Agenda of meeting on Tuesday, February 24, 2004
- H) Minutes of meeting on Tuesday, January 27, 2004

Roads

- I) Irrevocable Offer of Dedication from M.A.R.E. Riding Center for additional right-of-way for improvements on Johnson Road and Driver Road, Conditional Use Permit No. 106, Map No. 101
- J) Certificate of Acceptance of Easement Deed from Fidelity National Title Insurance Company for additional right-of-way for widening of Webb Avenue

Miscellaneous

- K) Letter from Katherine Prewett in opposition to General Plan Amendment Case No. 51, Map 101, Hageman Northwest's request to change zoning from current A-1 agriculture to 1/4-estate at the southeast corner of Hageman and Heath Roads (Copies to each Supervisor, CAO, Planning and County Counsel)

- L) Letter from Ed Riojas, State Department of Health Services, re guidelines and forms for Fiscal Year 2002-2003 County Health Services Report of Actual Financial Data (Copies to each Supervisor and CAO)
- M) Letter from Karen Miller, National Association of Counties (NACo) re Five Star Restoration Challenge Grants available for 2004 and copy of "Planning for Results Guidebook: Practical Advice for Building Successful Rural Communities" (Copies to each Supervisor and CAO)
- N) Letter from Diane K. Noda, U.S. Department of the Interior, re addition of the desert cymopterus, a plant that occurs in limited areas of the desert in southeastern California, to the Federal list of threatened and endangered species (Copies to each Supervisor, CAO, County Counsel and Planning)
- 32) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
 - A) Claim in the matter of Shellie Moore vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - B) Claim in the matter of Petronila Valenzuela Ramirez vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - C) Claim in the matter of Anabella Morales vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - D) Claim in the matter of Cathie Ann Joughin vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - E) Claim in the matter of Jose Antonio Torres vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
 - F) Subrogation claim in the matter of Lucila and Martinez M. Cladera by American National Property and Casualty Companies (ANPAC) vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)